

FILED

JUN 16 2006

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

SUN PACIFIC FARMING
COOPERATIVE, INC.,

Plaintiff,

vs.

SUN WORLD INTERNATIONAL,

Defendant.

SUN WORLD INTERNATIONAL, INC.,

Counter-Claimant,

vs.

SUN PACIFIC FARMING
COOPERATIVE, INC., SUN
PACIFIC FARMING CO, BERNIE
H. EVANS III and RICHARD
PETERS,

Counter-Defendants.

No. CV-F-01-6102 REC/DLB

JUDGMENT

Pursuant to the Findings of Fact and Conclusions of Law
filed herein, the court directs entry of judgment in favor of

1 defendant/counter-claimant Sun World International, Inc. and
2 against plaintiff Sun Pacific Farming Cooperative, Inc and
3 counter-defendants Sun Pacific Farming Cooperative, Inc., Sun
4 Pacific Farming Co., Bernie H. Evans III and Richard Peters on
5 Sun World's first claim for relief for conversion, its third
6 claim for relief for intentional misrepresentation, and its ninth
7 claim for relief for declaratory judgment:

8 1. Counter-defendants, and each of them, and their
9 agents, servants, and employees, and all persons acting under any
10 license or sub-license agreement with them or for them are
11 permanently enjoined from converting, propagating, growing,
12 selling, licensing, distributing, using in any plant breeding
13 program, farming activity or otherwise marketing or exporting
14 Sugarone grapevines, Sugarone vines, Sugarone cuttings and
15 Sugarone derivatives or progeny derived from those cuttings taken
16 by Richard Peters from the Mecca ranch in 1972 (Sugarone
17 Materials) and from holding themselves out as the lawful owner of
18 these Sugarone Materials and are ordered to return to Sun World
19 all Sugarone Materials and any records, charts, formulas, or
20 propagating material related to the Sugarone variety in counter-
21 defendant's possession or control derived from the Sugarone
22 Materials or, at Sun World's election, to destroy all such
23 Sugarone Materials under the supervision and observation of a
24 representative of Sun World, within 60 days of entry of judgment.

25 2. Pay to Sun World \$8,064.00 in compensatory damages.

26 3. Pay to Sun World \$250,000.00 in punitive damages.

